

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SEWT  
9-21-05

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

September 21, 2005

Mr. Peter Schellinger  
Bay Rock Residential, LLC  
5801 Christie Ave., Suite 455  
Emeryville, CA 94608

Mr. John Tibbetts  
4097 San Pablo Ave.  
Emeryville, CA 94608

Dear Messrs. Schellinger and Tibbetts:

Subject: Toxics Case RO00002733, Oak Walk Redevelopment Site, Emeryville, 94608

Alameda County Environmental Health has been informed that monitoring wells MWT-1 through MWT-14 are scheduled for decommissioning because the demolition of the existing buildings could compromise these wells. We, therefore, approve of the well destructions with the condition that replacement wells be installed, as necessary, to monitor the contaminant plume beneath the site after remediation has occurred.

Please contact me at 510-567-6765 with questions.

Sincerely,

A handwritten signature in cursive script that reads "Barney M Chan".

Barney M.Chan  
Hazardous Materials Specialist

C: files, D. Drogos  
Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,  
Oakland, CA 94602

9\_21\_05Oak Walk

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
7-12-05

July 11, 2005

Mr. Peter Schellinger  
Bay Rock Residential, LLC  
5801 Christie Ave., Suite 455  
Emeryville, CA 94608

Mr. John Tibbetts  
4097 San Pablo Ave.  
Emeryville, CA 94608

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

Dear Messrs. Schellinger and Tibbetts:

Subject: Toxics Case RO00002733, Oak Walk Redevelopment Site, Emeryville, 94608

Alameda County Environmental Health staff has received and reviewed the *April 2005 Environmental Site Characterization* report for the subject site prepared by The San Joaquin Company, Inc. As you are aware, this report is a comprehensive site characterization to determine the presence of contaminants in soil and groundwater beneath the site and their affect on the development ability of the site. A complex conceptual model of the releases, which have affected the site, is presented. Several sources of releases have been identified and/or proposed. Our office requests that you address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Prior to development of the site, the extent of contamination in soil and groundwater must be determined and a corrective action plan must be provided.
2. Releases from on and off-site sources have affected the property. Suspected sources include former underground storage tanks on the former Celis Alliance Service Station at 4000 San Pablo Ave., former underground storage tanks at the San Francisco French Bread Co., 4070 San Pablo Ave., up-gradient former USTs at the former Dunne Paint and Boysen Paint sites and on-site releases from the former USTs on the northwest corner of the site. These source areas and their impacts will require adequate characterization. Therefore, there must be co-operation from all parties to assess and potentially remediate the various impacted areas.
3. It appears that contamination has migrated onto this site from up-gradient and adjacent sources, therefore, both on and off-site remediation may be required. The up-gradient investigation is both complex and incomplete. Little is known of the subsurface beneath the Ennis property. The exact flow path of contaminants on and off-site is uncertain at this time.

July 11, 2005  
Messrs. Schellinger and Tibbetts  
RO0002733  
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4. Free product and highly contaminated soil and groundwater should be considered for remediation to the extent possible.
5. The groundwater contaminant plume must be defined and monitored. Because it appears that contamination is moving through narrow lenses of permeable material additional investigation is needed to determine the flow path of the plume. In addition, a monitoring program must be initiated to determine the stability of the plume.
6. The use of presence of benzene and MTBE in groundwater to estimate the extent of the plume from the former Celis fuel tanks is reasonable. Therefore, only the southern portion of the site appears to have been impacted from this release.
7. Based upon the site-wide impact to the petroleum plume, it appears that in addition to active remediation, engineered controls and a risk assessment will be required prior to development.

#### TECHNICAL REPORT REQUEST

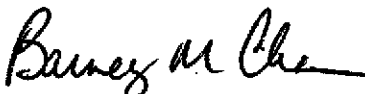
- August 12, 2005- Work plan for additional site characterization and groundwater monitoring.
- August 12, 2005- Corrective Action Plan and Risk Assessment

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

Please contact me at 510-567-6765 with questions.

Sincerely,



Barney M.Chan  
Hazardous Materials Specialist

July 11, 2005  
Messrs. Schellinger and Tibbetts  
RO0002733  
Page 3

C: files, D. Drogos, A. Levi

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608

Mr. Constantino Cellis, c/o Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave.,  
Emeryville, CA 94608

Mr. Martin Samuels, Green City, 4048 Adeline St., Emeryville, CA 94608

Mr. Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94599

Mr. Dave Ennis, P.O. Box 10985, South Lake Tahoe, CA 96158-3985

Mr. Edward Kozel, 20 Oak Knoll Drive, Healdsburg, CA, 95448-3108

Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,  
Oakland, CA 94602

Mr. Xingang Tong, 464 19<sup>th</sup> St., Suite 206, Oakland, CA 94612

Mr. Jon Rosso, Clayton Group Services, 6920 Koll Center Parkway, Suite 216,  
Pleasanton, CA 94566

Mr. Robert Kitay, ASE, 208 W. El Pintado Road, Danville, CA, 94526

Mr. John Wolfenden, SFRWQCB

7\_8\_05 Oak Walk

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT

9-16-04

September 15, 2004

Mr. Peter Schellinger  
BayRock Residential  
5801 Christie Ave., Suite 455  
Emeryville, CA 94608-1937

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

Dear Mr. Schellinger:

Subject: TOXICS Case RO0002733, Oak Walk Redevelopment Site, San Pablo  
Ave. at 40<sup>th</sup> and 41<sup>st</sup> Streets, Emeryville, CA 94608

Alameda County Environmental Health (ACEH) staff has received the April 29, 2004 *Results of Preliminary Subsurface Investigation: The Oak Walk Site Emeryville California* prepared by The San Joaquin Company Inc. Contamination consisting of Total Petroleum Hydrocarbons in the gasoline and diesel range and volatile aromatic hydrocarbons have been identified in soil and groundwater samples from Trenches 1-7. Our office is also in receipt of preliminary data from borings and monitoring wells located on the remainder of the property (BE-1 through BE-4, MW-2 through MW-7 and MWT-1 through MWT-10). Please submit the formal reports for the installation, sampling, analysis of these data points and provide interpretations and recommendations for further work. The April 29, 2004 report provides estimates for soil removal based upon several scenarios. Please provide contaminant isoconcentration maps to justify the proposed excavation limits of each proposed scenario.

Please provide the requested technical reports to our office by September 30, 2004.

If you have any questions, please contact me at (510) 567-6765.

Sincerely,

Barney M. Chan  
Hazardous Materials Specialist

cc: D. Drogos, B. Chan

Mr. John Tibbetts, Oak's Club Room, 4097 San Pablo Ave., Emeryville,  
CA 94608

Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,  
Oakland, CA, 94602

RepRqOakWalkRedevelopment 9/15/04

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



scw  
8-19-04

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

August 16, 2004

Mr. Peter Schellinger  
BayRock Residential  
5801 Christie Ave., Suite 455  
Emeryville, CA 94608-1937

Dear Mr. Schellinger:

Subject: TOXICS Case RO0002733, Oak Walk Redevelopment Site, San Pablo Ave. at 40<sup>th</sup> and 41<sup>st</sup> Streets, Emeryville, CA 94608

In order for ACEH to review reports for your site, we require an oversight account for the above-referenced site. To set up your account, please send a check in the amount of \$10,000 payable to Alameda County Environmental Health. Please send your check to the attention of our Finance Department.

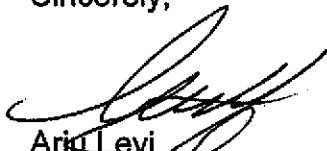
This initial deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$160.00 per hour.

Please write "TOXICS" (the type of project) and the site address on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely,



Ariu Levi  
Division Chief

cc: D. Drogos, B. Chan  
Mr. John Tibbetts, Oak's Club Room, 4097 San Pablo Ave., Emeryville,  
CA 94608

DepRqOakWalkRedevelopment